

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

Regina Marie Loschke, )  
                          )  
Plaintiff,             ) Civil Action No. 6:20-3331-RMG  
                          )  
vs.                    )  
                          )  
Kilolo Kijakazi, Acting Commissioner )  
of Social Security,    )                           **ORDER**  
                          )  
Defendant.            )  
                          )  
                          )

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This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). The Magistrate Judge issued a Report and Recommendation (R & R) on September 14, 2021, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of the Administrative Law Judge ("ALJ") to adequately explain the assessment of the opinions of Plaintiff's treating specialist physician, Dr. Silver. The Magistrate Judge noted unexplained discrepancies between the ALJ's description of Dr. Silver's opinions and Dr. Silver's medical records and the records of other treatment providers which were supportive of Dr. Silver's opinions regarding limitations on Plaintiff's capacity for full time work. (Dkt. No. 30 at 5-10). The Acting Commissioner has advised the Court that she does not intend to file objections to the R & R. (Dkt. No. 31).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision

of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

S/ Richard Mark Gergel  
Richard Mark Gergel  
United States District Judge

Charleston, South Carolina  
September 24, 2021